



Atty. Dkt. No. 040679-1342

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IDS # 11  
C. B. 115  
08/19/03

Applicant: Minoru TAMURA et al.

Title: CONTROLLING SCHEME FOR  
STAND-BY BRAKING TORQUE  
APPLIED TO AUTOMOTIVE  
VEHICLE

Appl. No.: 09/942,679

Filing Date: 08/31/2001

Examiner: D. Tran

Art Unit: 3661

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

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Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



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**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

**RELEVANCE OF EACH DOCUMENT**

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding European application, except for Japanese 07-144588, which was submitted with the Information Disclosure Statement filed on August 31, 2001. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner. English translations of the foreign-language documents are not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English Abstracts are attached for documents A5-A8.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

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STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement. Applicants note that one of the references cited by the foreign patent office (i.e., JP 7-144588 of June, 1995), was previously cited in Applicants' IDS of August 31, 2001, and is not being re-submitted herewith.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Date August 13, 2003

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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Respectfully submitted,

By

Glenn Law  
Attorney for Applicant  
Registration No. 34,371

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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicant hereby petitions for any needed extension of time.